

Rejection of Claim 9 Under 35 U.S.C. § 103(a)

Claim 9 has been rejected as being unpatentable over the admitted prior art in view of U.S. 5,389,462 to Lin (hereinafter "Lin") and U.S. 3,783,436 to Bury (hereinafter "Bury").

The Examiner has withdrawn the allowance of claim 9 in view of newly discovered prior art patents to Lin and Bury, as noted above. The Examiner suggested amendment of claim 9.

Claim 9 has been amended herein and is directed to an uninterruptible power supply for providing AC power to a load, the uninterruptible power supply comprising: an input to receive AC power from an AC power source; an output that provides AC power; an inverter to receive DC power and to provide AC power; and a first connector electrically coupled to the inverter. The uninterruptible power supply also comprises an energy storage device that provides the DC power. The energy storage device has a plurality of terminals and a plurality of leads wires, a first end of each of the lead wires connected to one of the terminals. The uninterruptible power supply further comprises housing means for covering the terminals and the first end of each of the lead wires. The housing means forms an opening for receiving the plurality of lead wires and includes means for routing each of the lead wires to one of the plurality of terminals and means constructed and arranged along an underside of the housing means for providing strain relief for each of the plurality of lead wires. The uninterruptible power supply further comprises a transfer switch constructed and arranged to select one of the AC power source and the energy storage device as an output power source for the uninterruptible power supply.

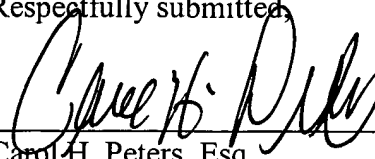
Applicants respectfully submit that the cited combination of references does not teach the uninterruptible power supply (UPS) of claim 9. In particular, the combination of references does not teach or suggest the housing means including means for routing each of the lead wires to one of the plurality of terminals and means constructed and arranged along an underside of the housing means for providing strain relief. Neither reference alone or in combination provides such a teaching or suggestion of means for providing strain relief.

Lin discloses a storage battery with a top end 2, which has a depression 22, and a protective cover lid 23 with a structure to complement the depression 22 of the top end 2. The Examiner equates the top end (2 and 12) of the prior art and the storage battery with the housing means recited in claim 9. As the Examiner admits, Lin does not disclose the cap (2 and 12) having means for providing strain relief for the lead wires 15, although the Examiner points out that Lin teaches mounting lead wires in a curved groove formed in the cap (2 and 12), as illustrated in FIGS. 1 and 2, which may provide strain relief. The Examiner indicates that Bury teaches an electrical connector with built-in strain relief. Therefore, in view of this prior art, the Examiner concludes it would have been obvious to modify the storage battery of Lin according to the teachings of Bury to provide a cap with strain relief.

Applicants respectfully submit that the amended claim 9 is not obvious in view of the combination of cited references because neither reference alone or in combination teaches or suggests housing means for covering the terminals and the first end of each of the lead wires and forming an opening for receiving the plurality of lead wires, the housing means including means for routing each of the lead wires to one of the plurality of terminals and *means constructed and arranged along an underside of the housing means for providing strain relief for each of the plurality of lead wires*. Therefore, claim 9 is patentably distinguishable over Lin and Bury. Accordingly, the rejection of claim 9 under 35 U.S.C. § 103(a) should be withdrawn.

Based upon the foregoing amendment and discussion, the present application is believed to be in allowable condition, and a notice to this effect is respectfully requested. Should the Examiner have any questions concerning this response, he is invited to telephone the undersigned.

Respectfully submitted,



Carol H. Peters, Esq.

Registration No. 45, 010

Mintz, Levin, Cohn, Ferris

Glovsky and Popeo, P.C.

Attorneys for Applicant

One Financial Center

Boston, MA 02111

Telephone: 617/348-4914

Facsimile: 617-542-2241

email: cpeters@mintz.com

Date: October 20, 2004

TRA 1969300v1